I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE AS FIRST CLASS MAIL IN AN ENVELOPE ADDRESSED TO: COMMISSIONER FOR PATENTS, P.O. BOX 1450, ALEXANDRIA, VA 22313-1450, ON THE DATE INDICATED BELOW.

Date:

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

e Patent Application of:

Adam R. Schran et al.

Conf. No.:

7133

Group Art Unit:

2157

Appln. No.: 10/078,815

Examiner:

Avi M. Gold

Filing Date:

February 19, 2002

Attorney Docket No.: 10397-3U1

Title:

SYSTEM AND METHOD FOR DETERMINING NETWORK

CONFIGURATION SETTINGS THAT PROVIDE OPTIMAL NETWORK

PERFORMANCE

AMENDMENT TRANSMITTAL LETTER

Transmitted herewith is an Amendment in the above-identified application.

Substitute Specification.

Small Entity status: [X]

has previously been claimed/established.

is hereby claimed under 37 C.F.R. §1.27, as [] an Independent Inventor, or [] a Small Business Concern, or [] a Non-Profit Organization.

The additional claim fees have been calculated as follows:

| | | | | | SMALL ENTITY | | LARGE ENTITY | |
|---|---|-----|---------------------------------------|------------------|--------------|------------|--------------|---------------|
| | CLAIMS REMAINING AFTER AMENDMENT | | HIGHEST NO. PREVIOUSLY PAID FOR | PRESENT EXTRA | RATE | ADDIT, FEE | RATE | ADDIT. FEE |
| TOTAL | 52 | (-) | 54 | 0 | x25 | | x50 | |
| INDEP. | 4 | (-) | 3 | 1 | x100 | 100 | x200 | |
| [] 1st PRESENTATION OF MULTIPLE DEPENDENT CLAIMS | | | | | +\$180 | | +\$360 | |
| | | | | | TOTAL | \$100 | TOTAL | _ |

The additional claim fees are being paid by:

- [X] A check in the amount of \$100.00.
- [X] Authorization to charge and/or credit Deposit Account No. 50-1017 (Billing No. 210397.0007) as noted below. A duplicate copy of this sheet is enclosed.
 - [X] Any overpayments or deficiencies in the above-calculated fee.
 - Additional claim fee in the amount of \$____.00 as calculated above.
 - [X] Any additional fees required under 37 C.F.R. § 1.16 and/or § 1.17.
 - [X] In the event that a Petition for Extension of Time is required, but not submitted, please charge any extension fee under 37 C.F.R. § 1.136(a) to our Deposit Account.

CORRESPONDENCE ADDRESS

January 9, 2006 By: (Date)

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Registration No. 35,039

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CAJ:gem Enclosures

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PERFORMANCE

AMENDMENT

This Amendment is being filed in response to the Office Action dated October 7, 2005 and is being timely filed within the shortened statutory period set for a response. An Amendment Transmittal Letter accompanies this amendment for payment of the excess claim fee. If any additional fee is due, charge the fee to Deposit Account No. 50-1017 (Billing No. 210397.0002).

Amendments to the Claims begin on page 2 of this paper.

Remarks and Conclusion begin on page 11 of this paper.